 <b>Internal Case Management System Worksheet - Case Closing</b>					<b>Top Allegation</b> CRIME (NOT DOMESTIC) - OTHER	<b>Group</b> G10-GROUP 10 <b>Date of This Report</b> 10/11/2018	
<b>Date Reported</b> 07/08/2017	<b>Date Assigned</b> 07/08/2017	<b>IAB Log No.</b> 2017-26155	<b>Case No.</b> (G10) C-2017-352	<b>Folder Type</b> CORRUPTION	<b>Preliminary Case Type</b> CORRUPTION	<b>Follow-Up No.</b>	<b>Worksheet Tracking No.</b> 3241459

<b>Topic/Subject</b> (Case Closing) CASE CLOSING (OVERALL DISPOSITION - PARTIALLY SUBSTANTIATED)	<b>Activity Date</b> 10/11/2018	<b>Activity Time</b> 15:00
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<b>Referred to Group</b> -	<b>Conferred With</b>	<b>Next Review Date</b>
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**Closing Statement**

Case #:  
C-2017-352

Log #:  
2017-26155  
2018-32624

Subject Officers:

>Police Officer Jerome Felipe, Tax #932627, Housing PSA 6 (temporarily assigned to Housing PSA 9)  
 Date of Appointment: 07/01/2003  
 Probation (at the time of incident): No  
 Current Duty Status: Restricted Duty ☐ No Firearms

>Detective Ralph M. Sherlock, Tax #898869, Firearms Suppression Division  
 Date of Appointment: 04/29/1991  
 Probation (at the time of incident): No  
 Current Duty Status: Retired (as of 04/09/2017)

Date Case Received:  
July 11, 2017

Date of Occurrence:  
July 6, 2017

Administrative Statute of Limitations Expires:  
January 6, 2019

Classification:  
C-2

Investigator:  
Sergeant Tania Tolentino, Tax #945057

Team Leader:  
Lieutenant Samuel Irizarry, Tax #932812

Overall Case Disposition:  
Partially Substantiated

Details:  
 Log #2017-26155  
 On July 8, 2017, Detective Tohfafarosh, Tax #939584, 114 Detective Squad, called the IAB Command Center and reported that on July 6, 2017, Police Officer Jerome Felipe, Tax #932627, attempted to lure a sixteen year old female ( ) in front of her residence ( ). Police Officer Felipe initially drove past ( ) in a grey Mustang (NYS Plate # ) as she was sitting in a wheelchair on the sidewalk. Police Officer Felipe reversed his vehicle toward ( ) and asked her if she liked fast cars. After ( ) disclosed she liked fast cars, Police Officer Felipe asked ( ) to enter his car and go for a drive. ( ) declined the invitation and attempted to move away from the location. Police Officer Felipe parked his vehicle and approached ( ). He identified himself as a detective and told ( ) he could take her wherever she wanted. ( ) was given Police Officer Felipe's name and phone number on a piece of paper. After Police Officer Felipe left the location, ( ) contacted her parents ( ) and ( ) and informed them of what had happened. ( )'s parents contacted Police Officer Felipe and met him at the original location of occurrence. ( )

█████'s parents confronted Police Officer Felipe and informed him their daughter was only (16) years old. Police Officer Felipe presented several IDs with his name and two (2) different shield numbers (26418 and 26718). He also stated he did volunteer work and organized field trips for minors. While Police Officer Felipe was still on scene, █████ took several photographs of Police Officer Felipe, the vehicle he was driving, and the expired parking permit (Serial #5360013) that was displayed on his vehicle. The following day, a complaint for ☐Luring a Child☐ (61 #2017-114-████) was filed against Police Officer Felipe at the 114th Precinct.

Log #2018-32624

On August 20, 2018, Charges and Specifications were preferred against Police Officer Jerome Felipe, Tax #932627, by Deputy Inspector William J. Gardner, Tax #890060, Commanding Officer of IAB Group 10, under the authority of Assistant Chief Brian O'Neill, Tax #873800, Executive Officer of IAB.

**Identification and Interview of Complainant:**

The complainant, █████ F/H/41yo, who resides at █████ was interviewed by investigators.

█████ stated that on July 6, 2017, she and her husband, █████ received a telephone call from their 16 year old disabled daughter, █████. █████ stated a male driving a gray Mustang approached her as she was sitting in her wheelchair in front of her residence. The male identified himself as ☐"Detective Jay Felipe"☐ and invited █████ to go to the movies and to go to the beach with him. He gave █████ his phone number and told her that she could call him if she ever wanted to talk or hang out. █████ contacted her parents shortly after the male left the location.

█████ husband immediately contacted Detective Felipe through the phone number provided to █████ and asked Detective Felipe what his intentions with █████ were. Detective Felipe informed █████ that he was busy at the time and was unable to meet. While █████ was still on the phone with Detective Felipe, █████ observed Detective Felipe drive past their residence several times. Detective Felipe was eventually flagged down by █████ and stopped at the intersection of █████ and her husband confronted Detective Felipe and informed him of █████'s age. Detective Felipe identified himself as an off-duty police officer and stated he thought █████ was much older. Detective Felipe also stated he was attempting to recruit █████ for a youth program he was involved with.

█████'s suspicions of Detective Felipe's status as a Member of the Service were raised when she observed an expired Department parking permit displayed on his vehicle. She requested to view Detective Felipe's identification card to verify his status as a police officer. Detective Felipe presented several identification cards none of which stated he was a member of the NYPD. When asked for his badge, Detective Felipe stated he was off-duty at the time and did not have a badge in his possession. Detective Felipe also placed (2) cellular phone calls to unknown individuals attempting to verify his status as a Member of the Service. One individual he called stated she could not give ☐outside☐ information and the other individual he called stated he was a ☐Detective☐. █████ proceeded to take several photographs of Detective Felipe, his vehicle, and the expired parking permit while he was still present on scene.

Later in the evening █████ attempted to file a complaint at the 114th Precinct. She was informed █████ needed to be present in order to file the report. She returned to the precinct the following day with █████ and filed a complaint for ☐luring a child☐.

A background check conducted on █████ revealed no arrest history or additional CCRB, ICMS, or IAPro history on record.

**Identification and Interview of Victim:**

The victim, █████ F/H/17yo, who resides at █████ was interviewed by investigators.

█████ stated that on July 6, 2017, at approximately 1900 hours, a male driving a Ford Mustang drove up to her as she was sitting in her wheelchair in front of her residence. The male asked her if she liked fast cars and if she wanted to go for a ride. After █████ replied "no" the male parked his vehicle and approached █████. The male identified himself as a detective and presented a blue police identification card with the name ☐"Felipe."☐ Before leaving the location, ☐Detective Felipe☐ gave █████ a piece of paper with his name and phone number. He also told █████ that she could call him anytime and that he and his son could take her to the beach.

█████ proceeded to contact her father (█████) and informed him of what had occurred between her and Detective Felipe. █████'s parents and Detective Felipe returned to the location approximately five (5) minutes later and spoke with each other across the street from █████'s residence. █████ was unable to hear what was said between Detective Felipe and her parents.

When asked, █████ stated Detective Felipe did not make any sexual gestures or comments during his conversation with her. She further disclosed she did not inform Detective Felipe of her age and did not consider his actions to be inappropriate until she spoke with her father about her interaction with Detective Felipe.

**Identification and Interview of Witness:**

The complainant, █████ M/H/54yo, who resides at █████ was interviewed by investigators.

██████████ stated that on the evening of July 6, 2017, he received a phone call from his daughter ██████████ informing him she had been approached by a male Hispanic driving a Mustang. ██████████ further stated in a half-joking manner that she "was □almost abducted□" by the individual. The male identified himself as □Detective Felipe□ to ██████████ and gave her a phone number before leaving the location.

██████████ immediately contacted Detective Felipe through the number he left with ██████████. He informed Detective Felipe that his daughter was only 16 years old and requested to meet Detective Felipe in person. Detective Felipe replied he thought ██████████ was much older and initially stated he was unable to meet ██████████. Detective Felipe eventually agreed to meet ██████████ at the location where he met ██████████.

██████████ and his wife met Detective Felipe at the intersection of ██████████. Detective Felipe identified himself as a Member of the Service and presented an NYPD identification card. ██████████ became suspicious of Detective Felipe's status as a Member of the Service due to the fact that he was unable to present a shield or firearm at the time of their meeting. Detective Felipe informed ██████████ that he did volunteer work and organized trips for youths. He specifically mentioned the Daytona Raceway and invited ██████████ and ██████████ to an event that was occurring at Daytona Raceway later in the month. Detective Felipe also permitted ██████████ to drive his Mustang around the block after he had mentioned he liked Detective Felipe's vehicle. Before leaving the location, Detective Felipe gave ██████████ his phone number and told him to call him. The following day, ██████████'s wife reported the incident to the 114th Precinct.

When asked, ██████████ felt his conversation with Detective ██████████ was innocent but was suspicious that Detective ██████████ was not a Member of the Service. ██████████ stated he would not be concerned about Detective Felipe's interaction with his daughter if Detective Felipe was an actual Member of the Service.

A background check conducted on ██████████ revealed ██████████ on record, ██████████ ██████████ had no additional ICMS or IAPRO history on record.

#### Canvass:

A canvass for video and additional witnesses to the incident yielded negative results.

#### Identification of Subject Officer:

Police Officer Felipe was identified as a subject officer of this investigation based on the photographs taken by ██████████ on the date of incident.

Detective Sherlock was identified a subject officer of this investigation after a search on the parking permit displayed by Police Officer Felipe on the date of incident revealed the permit was assigned to Detective Sherlock in 2014.

#### Review of Department Records:

##### >Complaint Report #2017-114-██████████

A review of the complaint report related to the investigation revealed that on July 7, 2017, a complaint had been taken by the 114th Precinct Detective Squad for "□Luring a Child.□" The victim was documented as ██████████ (DOB: ██████████) and the perpetrator was described as an unknown male Hispanic driving a gray Mustang (NYS License Plate # ██████████). The narrative of the complaint re-iterated the details and information obtained during interviews with ██████████ and her parents.

##### >ECMS Case Folder

A review of ECMS folder #2017-1768 revealed the case was closed by the 114th Precinct Detective Squad with a □"B5"□ disposition on July 8, 2017 and was referred to the Internal Affairs Bureau for further investigation.

##### >OMNI Query

A query of complaint reports taken in the borough of Queens between January 1, 2016 and July 8, 2017 revealed no similar or related complaints.

##### >CityTime Records

A review of Police Officer Felipe's CityTime records revealed he was granted approved leave on July 4-5, 2017 and was on duty on the date of incident (July 6) from 1500 hours to 2323 hours.

##### >VIPER 8 Roll Call

A review of the VIPER 8 Roll Call for the Third Platoon on July 6, 2017 revealed Police Officer Felipe was scheduled to work from 1500 hours to 2323 hours.

##### >VIPER 8 Command Log

A review of the VIPER 8 Command Log entries for July 6, 2017 revealed Police Officer Felipe was present for duty at 1500 hours and went end of tour at 2323 hours. Entries were found indicating Police Officer Felipe was on meal period from 1855 hours to 2000 hours. No location was indicated for Police Officer Felipe's meal. It was noted that Police Officer Felipe was on meal period during the time he interacted with the ██████████ family.

##### >Shield Assignment History

A review of the assignment history of Shield #26718 revealed the number was assigned to Police Officer Steven Dauria, Tax #948324, 111th Precinct on the date of incident.

>Firearms Suppression Section Parking Permit Log

A review of the 2014 entries of the Firearms Suppression Section parking permit log revealed Permit #5360013 was assigned to ☐ Ralph Sherlock, Tax #898869. ☐ It was noted that caption for the date of the issue and the caption for the vehicle information were left blank.

Computer and Related Background Checks:

>Background Check - Police Officer Jerome Felipe

A background check of Police Officer Felipe revealed cases involving similar allegations as follows:

IAB Log #13-21425, Case #13-1529

Similar Allegation - Computer Misuse (SUBSTANTIATED)

An audit of Police Officer Felipe's computer usage revealed he queried his ☐s name for his personal use. During an official interview, Police Officer Felipe admitted to conducting a query on his ☐s name through a Department computer to determine if his ☐s criminal history would preclude him from residing with him. After a conferral with the Department Advocate's Office, it was determined the Computer Misuse allegation would be addressed with a Letter of Instruction.

IAB Log #15-09642, #15-12156, #15-34457, Case #15-0651

Similar Allegation - Computer Misuse (SUBSTANTIATED)

An audit of Police Officer Felipe's computer usage revealed he queried his own pedigree information, as well as that of his ☐s pedigree information, on four (4) occasions from September 5, 2015, through January 12, 2016. During an official interview, Police Officer Felipe acknowledged that despite being aware of Department policy which prohibits personal use of Department computer applications, he performed DMV queries of his vehicle and his ☐s vehicle for personal reasons. The allegation was closed as substantiated and a Schedule ☐ "A" Command Discipline was issued against Police Officer Felipe.

A review of this case also revealed that the investigation was initiated after an anonymous MOS called the Command Center to report that ☐ informed him that Police Officer Felipe had mental issues and needed help. ☐ called the anonymous MOS again approximately one (1) week later and informed him that Police Officer Felipe threatened to physically harm her. The anonymous MOS proceeded to contact the IAB Command Center on ☐s behalf.

A preliminary investigation into the matter was conducted by the PBBX Duty Captain and the PBBX Investigations Unit. Police Officer Felipe was transported to Columbia Presbyterian Hospital for a psychological evaluation. His firearms and shield were removed pending an interview with a Department psychologist.

>Application Packet

A review of the documents submitted by Police Officer Felipe at the time of his application to the Department revealed the name ☐ Jay was listed as a nickname used by Police Officer Felipe.

>Offline Search

An Offline search conducted on Police Officer Felipe yielded no information of investigative value.

>Social Media Search

A web search conducted on Police Officer Felipe revealed several Facebook, Twitter, and Instagram social media accounts and a Google e-mail address. A review of these accounts revealed no inappropriate content or evidence of child exploitation. Subpoenas were initially forwarded for subscriber information related to these accounts. Due to the fact that policies set in place by the Facebook, Twitter, Instagram, and Google companies would have notified Police Officer Felipe of the requests for subscriber information, the subpoenas were withdrawn to prevent Police Officer Felipe from becoming aware of the investigation into the allegations against him.

>CyberTips Search

A CyberTips search conducted on the IP addresses, username, and e-mail addresses associated with the Twitter account "☐ yielded negative results.

>THREADS Analysis

The cellular phone records of Police Officer Felipe, ☐ and ☐ were obtained and reviewed. A THREADS analysis on the records revealed that on the date of incident one (1) phone call was made from ☐s number to Police Officer Felipe's number lasting 11.25 minutes in length. A phone call was also made from ☐s number to Police Officer Felipe's number lasting 0.53 minutes in length.

>DAS Search on Incident location

A search conducted on the address, ☐ yielded no information of investigative value.

>Z-FINEST DMV Check

A query of New York State license plate # ☐ revealed the plate was registered to a 2014 gray Ford Mustang convertible. The registered owner was listed as Jerome Felipe (DOB: ☐ of ☐

A query of New York State license plate # ☐ revealed the plate was registered to a 2016 gray Ford Mustang convertible. The registered owner was listed as Jerome Felipe (DOB: ☐ of ☐

>DAS License Plate Reader

A license plate reader query on New York State license plate # [REDACTED] revealed no [REDACTED] hits [REDACTED] at or around the time of incident.

>NYPD Parking Permit Database

A query conducted on Police Officer Felipe revealed he had not been assigned a restricted parking permit since 2015. It was further revealed Police Officer Felipe's application for a 2017 parking permit was denied by the Vehicle Identification Unit under the reason "transferred."

A query conducted on the 2014 restricted parking permit (Serial #5360013) that was observed on Police Officer Felipe's motor vehicle on the date of incident revealed the permit was assigned to (retired) Detective Ralph Sherlock, Tax #898869, Firearms Suppression Unit.

>Background Check - (retired) Detective Ralph Sherlock, Tax #898869

A background check of Detective Sherlock revealed no cases or records related to a lost or stolen parking permit. Detective Sherlock's retirement date was documented as April 9, 2017.

>Personnel Profile Report - Command Assignment History

A review of Police Officer Felipe and Detective Sherlock's past assignments revealed both officers were assigned to the Firearms Suppression Section from September 19, 2016 to April 9, 2017.

>Department Computer Audit

An audit of Police Officer Felipe's Department computer usage revealed he had made several queries of his name, his residence, his license, and his vehicle plate across several databases. It was further revealed that on December 28, 2017, he accessed the Complaint Report filed by [REDACTED] as a result of his interaction with [REDACTED] on July 6, 2017.

Conferrals Conducted:

>Queens Special Victims Squad

A conferral with the Queens Special Victims Squad revealed there were no open patterns that involved a similar modus operandi or a similar description of Police Officer Felipe or his motor vehicle.

>Housing PSA 9 Integrity Control Officer

A conferral with the Housing PSA 9 ICO's Office regarding meal periods for members of the service assigned to the VIPER 8 unit revealed:

\*MOS are required to obtain permission from a supervisor (if one is assigned to VIPER 8) at the time meal is requested.

\*MOS are permitted to walk to stores directly across from the development to purchase food or to request a Department vehicle for transportation to purchase food.

\*MOS are not permitted to use personal vehicles to leave the command for any reason.

\*MOS are informed of these restrictions by the ICO or the assistant ICO upon their assignment to Housing PSA 9.

>IAB Intel

A request for intelligence placed under RFI #17-671 yielded no information of investigative value.

>IAB Personnel

A conferral with IAB Personnel revealed Police Officer Felipe had been the subject of two (2) DOLE tests which were administered on 04/09/2007 and 10/03/2011.

>Group 7

A SPOKEO search conducted by Group 7 yielded no additional information of investigative value.

>Housing Bureau Investigations Unit

A conferral made regarding past HBIU cases involving Police Officer Felipe disclosed no evidence of Police Officer Felipe being involved in crimes against minors.

>Medical Division - Psychological Evaluation Section

A conferral with the Psychological Evaluation Section revealed Police Officer Felipe was under evaluation to determine his fitness for duty since his initial modification on August 2015. The Medical Division was anticipating the submission of Police Officer Felipe's case to the Article 2 Pension Board for final disposition.

>District Attorney's Office of Queens County

After several conferrals with the Queens County Public Integrity Unit, criminal prosecution was declined against Police Officer Felipe. Furthermore, a determination had been made that an integrity test of any degree (ie: controlled phone call, controlled meet, etc.) would result in the entrapment of Police Officer Felipe. As a result, an integrity test of Police Officer Felipe was not approved by the District Attorney's Office.

>Vehicle Identification Unit

A conferral with the Vehicle Identification Unit revealed 2014 Restricted Parking Permit #5360013 was issued to Detective Ralph Sherlock, Tax #915994, of the Firearms Suppression Division. The permit was registered to a 2001 Black Honda Civic, NYS Plate # [REDACTED]. There were no records of the parking permit being returned to the ICO of the Firearms Suppression Division or to the Vehicle Identification Unit.

#### Proactive Measures:

##### >Surveillances

A total of ten (10) surveillances were conducted by Group 55, four (4) of which yielded positive results. No patterns or behaviors were noted which were indicative of Police Officer Felipe being involved in crimes against minors. It was noted however that a female (later identified to be a former girlfriend of Police Officer Felipe) was observed operating a motor vehicle registered to Police Officer Felipe and utilizing the same expired 2014 parking permit displayed on the original date of incident.

#### Other Information of Investigative Value:

##### >Invoice 1000968155

The piece of paper given by Police Officer Felipe to [REDACTED] was recovered and vouchered under PETS invoice #1000968155. The piece of paper had the following message written in blue ink, "Detective Jay Felipe [REDACTED]."

##### >Photographs

The photographs taken by [REDACTED] on the date of incident were retrieved and reviewed. Several photographs were obtained of Police Officer Felipe, a gray Mustang (NYS license plate # [REDACTED]), and a 2014 Department Parking Permit (Serial #5360013).

##### >VIPER 8 Videos

Video recorded from VIPER 8 Pan Tilt Zoom cameras on dates and times Police Officer Felipe was on-duty was retrieved and reviewed. No misconduct was noted and no information of investigative value was obtained.

#### Computer Misuse Investigation:

##### >Computer Misuse Related to [REDACTED]

Based on observations conducted by Group 55, it was revealed Police Officer Felipe owned two (2) gray Mustangs (NYS license plate # [REDACTED] and # [REDACTED]) and was in a relationship with an unidentified Asian female who lived at [REDACTED] Queens, NY. During a surveillance, the female was observed driving one of Police Officer Felipe's Mustangs [REDACTED] and displaying the same expired 2014 restricted parking permit utilized by Police Officer Felipe on the date he met [REDACTED].

An audit of Police Officer Felipe's Department computer usage revealed that on October 13, 2017, he had made several OMNI queries related to the name "[REDACTED]" the date of birth "[REDACTED]" and the address "[REDACTED]". A subsequent search of the name "[REDACTED]" on the Facebook social media site revealed an account owned by a [REDACTED] of [REDACTED]. A review of the account revealed several photographs of Police Officer Felipe and [REDACTED] together. Posts were also found relating to the beginning of their relationship on June 12, 2017 and the end of their relationship on October 20, 2017. A review of Police Officer Felipe's Facebook account revealed a similar post on June 12, 2017 documenting the beginning of their relationship.

A background check conducted of [REDACTED] revealed no criminal history on record. A review of an ACCURINT report generated for [REDACTED] documented Police Officer Felipe as a possible associate for [REDACTED].

##### >Computer Misuse Related to [REDACTED]

An audit of Police Officer Felipe's computer usage revealed he had made several DAS queries related to [REDACTED] (DOB: [REDACTED]). Police Officer Felipe also accessed and viewed records related to [REDACTED] her residence, her motor vehicles, and her family members.

A subsequent background check into [REDACTED] revealed no criminal history on record or an apparent connection to Police Officer Felipe. It was revealed however, that [REDACTED] was a former School Safety Agent who was appointed on June 3, 2010 and resigned on June 11, 2010. No IAPRO, ICMS, or CCRB history was found for [REDACTED].

#### Patrol Guide 206-13 Hearings:

Police Officer Felipe was interviewed as a subject officer on two occasions. The first interview was conducted on January 18, 2018, and the second interview was conducted on July 19, 2018.

During the first interview Police Officer Felipe admitted to speaking with [REDACTED] on July 6, 2017 while he was on-duty. Police Officer Felipe stated he first observed [REDACTED] seated in a walker on the side of the road as he was driving his personal vehicle during his meal period. He decided to approach [REDACTED] after he noticed her staring at his vehicle. Police Officer Felipe identified himself verbally as a Member of the Service to [REDACTED] and asked her if she liked fast cars. Police Officer Felipe spoke with [REDACTED] briefly and attempted to recruit her for a NASCAR program his church organized. Before leaving the location, Police Officer Felipe gave [REDACTED] his name and number on a piece of paper and instructed her to have her parents contact him.

Police Officer Felipe proceeded to drive to a local restaurant to purchase food and was contacted by [REDACTED]'s father ([REDACTED]) as he was returning to his command. [REDACTED] asked Police Officer Felipe what he was doing with his daughter and questioned his status as a Member of the Service. In order to diffuse the situation, Police Officer Felipe agreed to return to the location and speak with [REDACTED]. He met [REDACTED]'s parents in the vicinity of [REDACTED] and identified himself with his Department identification card. [REDACTED] expressed concern that Police Officer Felipe was unable to present a shield. Police Officer Felipe explained he did not possess a shield due to his current duty status. He apologized to [REDACTED] and assured him that [REDACTED]'s daughter was not in danger at any time. Police Officer Felipe informed [REDACTED] of a youth program that his church was involved with. He specifically mentioned the NASCAR Drive for Diversity program and showed [REDACTED] the program's website on his cellular phone. Before leaving the location, Police Officer Felipe invited [REDACTED] and [REDACTED] to

an upcoming event sponsored by the Drive for Diversity program. Police Officer Felipe did not interact with [REDACTED]'s mother while he was still present at the location.

When asked what his motivation was for approaching [REDACTED], Police Officer Felipe re-iterated he was attempting to recruit [REDACTED] for a NASCAR program his church was affiliated with. Police Officer Felipe stated he was contacted by the director of the NASCAR Drive for Diversity Program ([REDACTED]) a few weeks before his encounter with the [REDACTED] family. [REDACTED] informed Police Officer Felipe of a recent push to recruit disabled children for the program. Police Officer Felipe stated it was the initiative to recruit disabled children that prompted him to speak with [REDACTED].

Police Officer Felipe denied having any knowledge of Complaint Report #2017-114-1611 prior to the PG Hearing. When confronted with the results of a DAS audit which revealed the report was accessed utilizing his Tax ID number, Police Officer Felipe stated he never saw the [REDACTED] actual report and only saw the details of the report within the results of a search he conducted on his license plate. Police Officer Felipe stated he did not make any notifications about the allegations against him and was under the assumption that the Internal Affairs Bureau would eventually contact him regarding the complaint.

Police Officer Felipe admitted to utilizing and displaying the 2014 parking permit photographed on the date of incident. He disclosed the permit was given to him by Detective Sherlock while they were both assigned to a wiretap operation with the Firearms Suppression Division. Police Officer Felipe informed Detective Sherlock he was having difficulty finding parking in the area where their office was located. Detective Sherlock retrieved the permit from an unknown location and gave the permit to Police Officer Felipe to use. No specific instructions were given by Detective Sherlock nor had Detective Sherlock ever requested the permit be returned to him. Police Officer Felipe admitted he was never given official authorization to utilize or display the permit.

Police Officer Felipe was not aware if anyone other than himself had utilized the permit since it was given to him. To his knowledge the permit had been stored and displayed between his two (2) personal vehicles. Police Officer Felipe disclosed his ex-girlfriend, [REDACTED] did have access to one of his motor vehicles (NYS Plate [REDACTED]). He did not give [REDACTED] permission to use the permit and instructed her to not display the permit while she was using his vehicle.

When confronted with the computer queries related to [REDACTED], [REDACTED] Police Officer Felipe re-iterated that [REDACTED] was an ex-girlfriend of his who he had dated from [REDACTED]. He admitted to accessing computer databases through his Department cellular phone to verify [REDACTED]'s residential address ([REDACTED]) and to determine if she had any criminal history. He admitted all queries conducted on [REDACTED] were for personal reasons and not for official Department business.

When questioned about the computer queries he made in relation to [REDACTED], [REDACTED] Police Officer Felipe revealed [REDACTED] was his current girlfriend. Police Officer Felipe disclosed the queries were made while he was off-duty and conducted using his Department cellular phone. [REDACTED] was present at the time the queries were made and was permitted to view the results. Police Officer Felipe admitted the queries were not conducted for official Department reasons and were used to assist [REDACTED] with her application to the New York City Department of Corrections.

At the conclusion of the first interview the Department cellular phone assigned to Police Officer Felipe and the 2014 parking permit under investigation were taken into custody. Police Officer Felipe's access to all Department computer databases were revoked and he was ordered to not access Department computer databases until further notice.

A subsequent investigation into the statements made by Police Officer Felipe during the first interview revealed the church which Police Officer Felipe referred to did not have an active youth program since the original building was destroyed in 2010. The church, identified as the [REDACTED] in the Bronx, never had an affiliation with NASCAR or with activities associated with race cars. A minister who had been assigned to the [REDACTED] for the past twenty-five years did not know anyone by the name "[REDACTED] Jerome Felipe" and did not recognize the individual in a photograph of Police Officer Felipe presented to him during an interview.

The investigation also revealed the NASCAR Drive for Diversity Program did not specifically target young adults with disabilities and never had an initiative to recruit disabled children. A conferral with the Vice President and Chief Security Officer of NASCAR revealed no records of an affiliation between the Drive for Diversity Program, [REDACTED], or Police Officer Felipe.

As a result of the aforementioned investigation, Police Officer Felipe was re-interviewed and questioned about statements he made during the first interview. Police Officer Felipe changed several key details of his encounter with [REDACTED] including the circumstances which led him to approach [REDACTED]. When confronted with information revealed about the [REDACTED], [REDACTED] Police Officer Felipe stated he was not an active member of the [REDACTED] and was never involved with its youth program. When confronted with information revealed about the NASCAR Drive for Diversity program, Police Officer Felipe stated his reference to the NASCAR [REDACTED] program during the first interview was actually a reference to NASCAR [REDACTED] racing events which sponsored people with disabilities. Police Officer Felipe also retracted his initial statements regarding his motivation for approaching [REDACTED] and stated he never attempted to recruit her for the Drive for Diversity program and only referred the [REDACTED] family to the NASCAR website for further information.

It was further noted that at the beginning of the second interview, Police Officer Felipe presented three (3) tickets to an Axalta Racing Event and stated the tickets were for the event he had invited the [REDACTED] family to on the original date of incident. During a recess taken during the interview, a web search of the Axalta event was conducted and revealed the event occurred several weeks before his encounter with the [REDACTED] family. When confronted with the fact that the event he had allegedly invited the [REDACTED] family had occurred weeks before he met the [REDACTED] family, Police Officer Felipe retracted his initial statement and stated



the tickets he presented were for a different event. He further stated he never invited the [REDACTED] family to an event and only informed them of an event and instructed them to contact him if they were interested.

#### Charges and Specifications:

After multiple conferrals with the Department Advocate's Office, Charges and Specifications were issued against Police Officer Felipe on August 20, 2018 as follows:

1. Patrol Guide 212-02, "Meal Period," Page 1, Paragraph 1, and Page 3, Additional Data, in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about July 6, 2017, while on duty, wrongfully failed to take meal in either a police facility, bonafide restaurant, or Department vehicle and wrongfully took an extended meal period.
2. Patrol Guide 219-29, "Distribution and Use of NYPD Restricted Parking Permits - Department Property," Page 6, Additional Data, in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about July 6, 2017, wrongfully used an expired Department Parking Permit without authorization.
3. Patrol Guide 203-10, "Public Contact - Prohibited Conduct General Regulations," Page 1, Paragraph 5, in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about July 6, 2017, wrongfully engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that he made false statements to a civilian by falsely representing that he was a Detective.
4. Patrol Guide 219-14, "Department Computer Systems - Department Property," Page 1, Paragraphs 2 and 3, Patrol Guide 203-10, "Public Contact - Prohibited Conduct (General Regulations)," Page 1, Paragraph 3, Patrol Guide 203-03, "Compliance with Orders - General Regulations," Page 1, Paragraph 2, Patrol Guide 203-05, "Performance on Duty - General Regulations," Page 1, Paragraph 1, in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about and between October 1, 2017 and December 31, 2017, on multiple occasions, after having been re-instructed about the prohibition against improper Department computer database inquiries, wrongfully conducted improper computer inquiries and also wrongfully divulged information from an improper computer inquiry.
5. Patrol Guide 207-21, "Allegation of Corruption or Other Misconduct against Member of the Service - Complaints," Page 1, Paragraph 1, in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about December 28, 2017, having become aware of an allegation of misconduct against himself, wrongfully failed to notify a Patrol Supervisor or wrongfully failed to report said allegation to the Internal Affairs Bureau, as required.
6. Patrol Guide 203-08, "Making False Statements - General Regulations," in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about January 18, 2018, wrongfully made false statements during an official Department interview.
7. Patrol Guide 203-06, "Performance on Duty - Prohibited Conduct (General Regulations)," Page 1, Paragraph 15, in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about and between October 1, 2017 and December 31, 2017, on multiple occasions, used Department equipment, to wit: Department smartphone, for a non-Department purpose or non-City purpose.
8. Patrol Guide 203-08, "Making False Statements - General Regulations," in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about July 19, 2018, wrongfully made false statements during an official Department interview.
9. Patrol Guide 203-10, "Public Contact - Prohibited Conduct (General Regulations)," Page 1, Paragraph 5, in that Police Officer Felipe, while assigned to Housing Public Service Area #9, on or about July 6, 2017, in a personal vehicle, while on-duty, on meal, and out of uniform, upon identifying himself as a Member of the Service, proceeded to engage a female minor in an inappropriate conversation during which he offered her a ride in his vehicle.

#### Supervisory Deficiencies:

N/A

#### Conclusion:

The investigation revealed that on July 6, 2017, Police Officer Jerome Felipe, Tax #9 32627, approached a female minor ([REDACTED]) and identified himself as a Member of the Service. He proceeded to engage [REDACTED] in an inappropriate conversation and offered her a ride in his vehicle. The conversation with [REDACTED] occurred while Police Officer Felipe was on-duty and driving his personal vehicle during his meal period. The investigation also revealed an expired 2014 parking permit was displayed on Police Officer Felipe's vehicle at the time of incident. During an official interview, Police Officer Felipe admitted to using the permit and obtaining the permit from (retired) Detective Ralph Sherlock, Tax #89 8869, while they were both assigned to the Firearms Suppression Unit.

Two (2) official interviews with Police Officer Felipe were conducted during the course of the investigation. Several inconsistent statements were noted regarding the circumstances of his encounter with [REDACTED] including the reasons which led him to initially approach [REDACTED]. When confronted with the inconsistencies of his statements Police Officer Felipe was unable to provide an explanation and retracted many of the key details he disclosed during the first interview.

Misconduct unrelated to the original allegations was also revealed in that Department computer audits yielded queries which were not related to official Department business. Police Officer Felipe admitted to conducting the queries for personal reasons



and also admitted to disclosing the results of several queries to an individual who was not authorized to have access to the information. A background check on Police Officer Felipe revealed he wrongfully made the queries despite being previously re-instructed on multiple occasions about the prohibition against improper Department computer database inquiries.

Based on the results of the investigation, the investigative officer recommends this case be closed with an overall disposition of **PARTIALLY SUBSTANTIATED** as follows:

>Police Officer Jerome Felipe, Tax #932627, Housing PSA 6 (temporarily assigned to Housing PSA 9)

\*Crime (Not Domestic) ☐ Other - UNSUBSTANTIATED

\*Other Department Rules/Procedures Violation (Fail to Take Meal in a Police Facility, Bonafide Restaurant, or Department Vehicle) - SUBSTANTIATED (SPECIFICATION ONE)

\*Other Department Rules/Procedures Violation (Wrongfully Take an Extended Meal Period) - SUBSTANTIATED (SPECIFICATION ONE)

\*PD Items Possess/Use/Display/Sell - Restricted Use Parking Plaque ☐ Unauthorized Use - SUBSTANTIATED (SPECIFICATION TWO)

\*Computer Misuse - SUBSTANTIATED (SPECIFICATION FOUR)

\*Disclose Confidential Information (Other) - SUBSTANTIATED (SPECIFICATION FOUR)

\*Fail to Notify ☐ IAB - SUBSTANTIATED (SPECIFICATION FIVE)

\*Other Department Rules/Procedures Violation (False Statements) - SUBSTANTIATED (SPECIFICATION SIX)

\*Charges and Specifications - INFORMATION AND INTELLIGENCE

\*Other Department Rules/Procedures Violation (False Statements) - SUBSTANTIATED (SPECIFICATION THREE)

\*Other Department Rules/Procedures (Take Meal in a Personal Vehicle and Out of Uniform, Engage Minor in Appropriate Conversation) - SUBSTANTIATED (SPECIFICATION NINE)

>(retired) Detective Ralph M. Sherlock, Tax #898869, Firearms Suppression Division

\*PD Items Possess/Use/Display/Sell ☐ Restricted Use Parking Plaque - Unauthorized Use - INFORMATION AND INTELLIGENCE

Attachments to the Closing Report Worksheet:

\*UF-49 Request for Charges and Specifications

\*Charges and Specifications

\*Subject Officer's Disposition Letter

\*Complainant Disposition Letter

\*Original Case Closing

#### Subjects Involved

Name	Status	Sex	Race	Dob
898869 RALPH SHERLOCK DT2 (536-FIREARMS SUPPRESSION SECTION)	UNIFORM MEMBER OF SERVICE	MALE	WHITE	

#### Allegations

1	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	PD Items Possess/Use/Display/Sell - Restricted Use Parking Plaque - Unauthorized Use	Abuse of Dept Regulations	Unauthorized Use- Restricted Use	09/17/2018	04 - Info. and Intelligence	09/17/2018

Comments
The investigation revealed Police Officer Jerome Felipe, Tax #932627, utilized a 2014 Department parking permit that was assigned to Detective Ralph Sherlock, Tax #898869. During an official interview, Police Officer Felipe stated he had received the parking permit from Detective Sherlock sometime during the month of December 2016. A background check on Detective Sherlock revealed he had retired on April 9, 2017. As such, the allegation of "PD Items Possess/Use/Display/Sell - Restricted Parking Plaque - Unauthorized Use" will be disposed of as INFORMATION AND INTELLIGENCE with no disciplinary action taken.

Name	Status	Sex	Race	Dob
932627 JEROME FELIPE POM (809-HOUSING PSA 9)	UNIFORM MEMBER OF SERVICE	MALE	ASIAN/PAC.ISL	

#### Allegations






1	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Crime (Not Domestic) - Other	Crime	O-Crime Other	07/08/2017	12 - Unsubstantiated	08/28/2018

Comments
The investigation was unable to prove or disprove that Police Officer Felipe attempted to lure a sixteen year old disabled female on July 6, 2017. As such, the allegation of "Crime (Not Domestic)

		- Other" will be disposed of as UNSUBSTANTIATED with no disciplinary action taken.				
2	<b>Full Allegation</b> Other Dept Rules/Procedures Violation -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> VRP-Violation Rules/Procedures	<b>Allegation Date</b> 02/04/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that on July 6, 2017, Police Officer Felipe failed to take meal in either a police facility, bonafide restaurant, or Department vehicle. As such, the allegation of "Other Dept Rules/Procedures Violation" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION ONE)				
3	<b>Full Allegation</b> Other Dept Rules/Procedures Violation -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> VRP-Violation Rules/Procedures	<b>Allegation Date</b> 02/04/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that on July 6, 2017, Police Officer Felipe wrongfully took an extended meal period. As such, the allegation of "Other Dept Rules/Procedures Violation" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION ONE)				
4	<b>Full Allegation</b> PD Items Possess/Use/Display/Sell - Restricted Use Parking Plaque - Unauthorized Use	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> Unauthorized Use- Restricted Use	<b>Allegation Date</b> 02/04/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that on July 6, 2017, Police Officer Felipe wrongfully used an expired Department parking Permit without authorization. As such, the allegation of "PD Items Possess/Use/Display/Sell - Restricted Use Parking Plaque - Unauthorized Use" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION TWO)				
5	<b>Full Allegation</b> Computer Misuse -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> COMPMIS- Computer Misuse	<b>Allegation Date</b> 02/04/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that on or about and between October 1, 2017 and December 31, 2017, on multiple occasions, after having been re-instructed about the prohibition against improper Department computer database inquiries, Police Officer Felipe wrongfully conducted improper computer inquiries. As such, the allegation of "Computer Misuse" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred: (SPECIFICATION FOUR AND SEVEN)				
6	<b>Full Allegation</b> Disclose Confidential Information - Other	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> Provides General Confid. Dept Info	<b>Allegation Date</b> 02/04/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that Police Officer Felipe wrongfully divulged information from an improper computer inquiry. As such, the allegation of "Disclose Confidential Information" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION FOUR)				
7	<b>Full Allegation</b> Fail to Notify - IAB	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> Fail to Make Notification	<b>Allegation Date</b> 02/04/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that after becoming aware of an allegation of misconduct against himself, Police Officer Felipe failed to notify a Patrol Supervisor or to report said allegation to the Internal Affairs Bureau, as required. As such, the allegation of "Fail to Notify - IAB" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION FIVE)				
8	<b>Full Allegation</b> Charges & Specifications - IAB	<b>Classification</b> NOTIFICATION/Additional Information	<b>Allegation Index</b> CS-Charges and Specifications	<b>Allegation Date</b> 08/20/2018	<b>Finding</b> 04 - Info. and Intelligence	<b>Finding Date</b> 08/20/2018
		<b>Comments</b> Based on the results of the investigation, Charges and Specifications were preferred against Police Officer Felipe on August 20, 2018, by Deputy Inspector William J. Gardner, Tax #890060, Commanding Officer of IAB Group 10, under the authority of Assistant Chief Brian O'Neill, Tax				

		#873800, Executive Officer of IAB. As such the allegation of "Charges and Specifications - IAB" will be disposed of as INFORMATION AND INTELLIGENCE.				
9	<b>Full Allegation</b> Other Dept Rules/Procedures Violation -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> VRP-Violation Rules/Procedures	<b>Allegation Date</b> 08/28/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that on July 6, 2017, Police Officer Felipe wrongfully engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that he made false statements to a civilian by falsely representing that he was a Detective. As such, the allegation of "Other Dept Rules/Procedures Violation" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION THREE)				
10	<b>Full Allegation</b> Other Dept Rules/Procedures Violation -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> VRP-Violation Rules/Procedures	<b>Allegation Date</b> 08/28/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 08/16/2018
		<b>Comments</b> The investigation revealed that on July 6, 2017, Police Officer Felipe, in a personal vehicle, while on-duty, on meal, and out of uniform, upon identifying himself as a Member of the Service, proceeded to engage a female minor in an inappropriate conversation during which he offered her a ride in his vehicle. As such the allegation of "Other Dept Rules/Procedures Violation" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION NINE)				
11	<b>Full Allegation</b> Official Statement - False Statement - PG	<b>Classification</b> Perjury/False Statements	<b>Allegation Index</b> GO15-PG 206-13	<b>Allegation Date</b> 10/10/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 10/10/2018
		<b>Comments</b> The investigation revealed that Police Officer Felipe made false official statements during official Department interviews conducted on January 18, 2018 and July 19, 2018. As such the allegation of "Official Statement-False Statement-PG" will be disposed of as SUBSTANTIATED with Charges and Specifications preferred. (SPECIFICATION SIX AND EIGHT)				

#### ATTACHMENT

1	 <u>"COMPLAINANT'S DISPOSITION LETTER"</u>
2	 <u>"ENDORSED CHARGES AND SPECIFICATIONS"</u>
3	 <u>'Original Case Closing'</u>
4	 <u>"SUBJECT OFFICER'S DISPOSITION LETTER"</u>
5	 <u>"UF-49 REQUEST FOR CHARGES AND SPECIFICATIONS"</u>

<b>Reporting Officer:</b>	<b>Rank</b> LT	<b>Name</b> IRIZARRY SAMUEL	<b>Tax Reg. No.</b> 932812	<b>Command</b> G10-GROUP 10
<b>Reviewing Supervisor:</b>	<b>Manner of Closing</b> C - PARTIALLY SUBSTANTIATED	<b>Date Reviewed</b> 11/05/2018	<b>Date of Next Review</b>	<b>Supv. Tax No.</b> 899848

<b>Endorser:</b>	<b>Rank</b> LT	<b>Name</b> IRIZARRY SAMUEL	<b>Tax Reg. No.</b> 932812	<b>Command</b> G10-GROUP 10	<b>DateTime Reviewed</b> 10/11/2018 11:10	<b>Status</b> Approved
	<b>Comments</b> TEAM LEADER IS NOTING THAT THE CASE INVESTIGATOR WHO COMPLETED THE ORIGINAL CLOSING FOR THIS CASE HAS BEEN REASSIGNED TO A NEW GROUP. THE CASE WAS REASSIGNED TO A NEW INVESTIGATOR AND THE REJECTED CLOSING WAS DELETED AND UPLOADED INTO A NEW CLOSING WORKSHEET. ZONE 1 XO REQUESTED ADDITIONAL STEPS HAVE BEEN COMPLETED.					
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> GARDNER WILLIAM	<b>Tax Reg. No.</b> 890060	<b>Command</b> G10-GROUP 10	<b>DateTime Reviewed</b> 10/11/2018 11:18	<b>Status</b> Approved
	<b>Comments</b> ADDITIONAL STEPS COMPLETED. APPROVED					
<b>Endorser:</b>	<b>Rank</b> DI	<b>Name</b> VIERLING LOUIS	<b>Tax Reg. No.</b> 919823	<b>Command</b> Z01-ZONE 1	<b>DateTime Reviewed</b> 10/11/2018 11:29	<b>Status</b> Rejected
	<b>Comments</b> <div></div>					
<b>Endorser:</b>	<b>Rank</b> LT	<b>Name</b> IRIZARRY SAMUEL	<b>Tax Reg. No.</b> 932812	<b>Command</b> G10-GROUP 10	<b>DateTime Reviewed</b> 10/11/2018 13:01	<b>Status</b> Approved
	<b>Comments</b> ADDITIONAL STEPS REQUESTED WERE COMPLETED.					
<b>Endorser:</b>	<b>Rank</b> DI	<b>Name</b> VIERLING LOUIS	<b>Tax Reg. No.</b> 919823	<b>Command</b> Z01-ZONE 1	<b>DateTime Reviewed</b> 10/11/2018 13:03	<b>Status</b> Approved
	<b>Comments</b> CASE REVIEWED:  #1- ADDITIONAL STEPS REQUESTED HAVE BEEN COMPLETED.					
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> SHEA THOMAS	<b>Tax Reg. No.</b> 899848	<b>Command</b> Z01-ZONE 1	<b>DateTime Reviewed</b> 11/05/2018 13:09	<b>Status</b> Approved
	<b>Comments</b> APPROVE CLOSING.					